

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

SWIPE INNOVATIONS, LLC,

*Plaintiff,*

v.

ORPAK USA, INC.,

*Defendant.*

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CIVIL ACTION NO. 9:12CV-78

JUDGE RON CLARK

**ORDER OF DISMISSAL**

Before the court is the parties' Joint Motion to Dismiss Without Prejudice [Doc. # 29]. The court is of the opinion that the motion should be GRANTED.

IT IS THEREFORE ORDERED that Plaintiff Swipe Innovations, LLC's claims against Defendant Orpak USA, Inc. are DISMISSED WITHOUT PREJUDICE. Costs and attorney's fees shall be borne by the party incurring the same. This dismissal will not count as a previous dismissal under Fed. R. Civ. P. 41(a)(1)(B) or (d). The court shall retain jurisdiction to enforce the parties' Termination Agreement.

So **ORDERED** and **SIGNED** this **19** day of **November, 2012**.



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Ron Clark, United States District Judge